



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,427	01/12/2001	Fumio Teraoka	112857-229	9954
29175	7590	06/17/2005	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			PEZZLO, JOHN	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/759,427

Applicant(s)

TERAOKA, FUMIO

Examiner

John Pezzlo

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 7-10 is/are rejected.
- 7) ☐ Claim(s) 1-6 and 11-14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Claims 1-11, 13, and 14 are objected to because of the following informalities:

1. Regarding claim 1 – Line 6, change "the host name" to "a host name".
2. Regarding claim 1 – Line 9, change "the current position" to "a current position".
3. Regarding claim 1 – Line 13, change "a first data" to "the first data".
4. Regarding claim 1 – Line 14, change "a third data" to "the third data".
5. Regarding claim 2 – Line 3, change "the host name" to "a host name".
6. Regarding claim 2 – Line 6, change "the current position" to "a current position".
7. Regarding claim 2 – Line 9, change "a first data" to "the first data".
8. Regarding claim 2 – Line 10, change "a third data" to "the third data".
9. Regarding claim 2 – Line 11, change "the receive means" to "a receive means".
10. Regarding claim 3 - Line 3, change "the host name" to "a host name".
11. Regarding claim 3 - Line 6, change "the current position" to "a current position".
12. Regarding claim 3 - Line 10, change "the second" to "a second".
13. Regarding claim 3 – Line 13, change "the receive" to "a receive".
14. Regarding claim 4 – Line 2 and 3, change "the position" to "a position".
15. Regarding claim 4 – Line 4, change "the name" to "a name".
16. Regarding claim 4 – Line 6, change "a second" to "the second".
17. Regarding claim 4 – Line 7, change "a first data" to "the first data".

Art Unit: 2662

18. Regarding claim 4 – Line 10, change "the current position" to "a current position".
19. Regarding claim 4 – Lines 10 and 11, change "a first data" to "the first data".
20. Regarding claim 4 – Line 11, change "the the first" to "the first".
21. Regarding claim 5 – Line 2, change "the position" to "a position".
22. Regarding claim 5 – Line 4, change "the name" to "a name".
23. Regarding claim 5 – Line 5, change "a second data" to "the second data".
24. Regarding claim 5 – Line 6, change "the second terminal" to "a second terminal".
25. Regarding claim 5 – Line 8, change "the current position" to "a current position".
26. Regarding claim 5 – Line 8, change "a first data" to "the first data".
27. Regarding claim 6 – Line 4, change "the position" to "a position".
28. Regarding claim 6 – Line 6, change "the name" to "a name".
29. Regarding claim 6 – Line 8, change "the second terminal" to "a second terminal".
30. Regarding claim 6 – Line 10, change "the current position" to "a current position".
31. Regarding claim 6 – Line 10, change "a first data" to "the first data".
32. Regarding claim 7 – Lines 1 and 2, change "the connection" to "a connection".
33. Regarding claim 7 – Line 4, change "the current position" to "a current position".
34. Regarding claim 8 – Line 3, "designating its own" is undefined and needs to be explicitly stated.
35. Regarding claim 9 – Line 2, change "the connection" to "a connection".
36. Regarding claim 9 – Line 5, change "the current position" to "a current position".
37. Regarding claim 9 – Line 6, change "the position" to "a position".
38. Regarding claim 10 – Lines 2 and 3, change "the connection" to "a connection".

Art Unit: 2662

- 39. Regarding claim 11 – Lines 4 and 5, change "the position" to "a position".
- 40. Regarding claim 11 – Line 5, change "the name" to "a name".
- 41. Regarding claim 11 – Line 10, change "the current position" to "a current position".
- 42. Regarding claim 13 – Line 4, change "the position" to "a position".
- 43. Regarding claim 13 – Line 5, change "the name" to "a name".
- 44. Regarding claim 13 – Line 10, change "the current position" to "a current position".
- 45. Regarding claim 14 – Line 6, change "the position" to "a position".
- 46. Regarding claim 14 – Line 7, change "the name" to "a name".
- 47. Regarding claim 14 – Line 12, change "the current position" to "a current position".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- I. Claims 7-10 are rejected under 35 U.S.C. 102(e) as being anticipated by La Porta et al. (US 6,763,007 B1) hereinafter La Porta.

Art Unit: 2662

1. Regarding claims 7 and 9 and 10 – La Porta discloses first transmit means for transmitting to a first communication party (mobile device), a first data for designating a current position of the information processing device (the new base station after handoff, Figure 2, callout 150), along with a second data for designating the position of the information processing device prior to movement (the old base station prior to the handoff, Figure 2, R6), refer to Figures 1 and 2 and column 7 line 37 to column 10 line 45. La Porta discloses sending messages, power up, path setup, handoff path setup, and refresh messages to alert the network devices, mobile units and base stations and correspondent nodes, of the new routing addresses and routers.

2. Regarding claim 8 – La Porta discloses a second transmit means for transmitting to a second communication party (correspondent node), a third data (care-of-address) for designating its (home agent) own movement of said information processing device (new handoff base station or new home agent at power up of the mobile unit), refer to Figures 1 and 2 and column 7 line 37 to column 10 line 45.

Response to Arguments

Applicant's arguments with respect to claims 7-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Art Unit: 2662

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Comer (US 5,610,973) discloses an interactive roamer contact system for cellular mobile radiotelephone network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(703) 872-9306

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Jefferson Building

500 Dulany Street

Art Unit: 2662

Alexandria, VA.

John Pezzlo

15 June 2005

A handwritten signature in black ink, appearing to read 'JP-8/8' or similar, with a large loop at the end.

**JOHN PEZZLO
PRIMARY EXAMINER**